

A RESOLUTION BY

FINANCE/EXECUTIVE COMMITTEE

01- 12 -1861

To authorize the Mayor to execute a second renewal and amendment to the lease agreement with Trinity Properties/Grant Ltd., L.P., Landlord for the lease of office space in the Grant Building at 44 Broad Street for the office of the Municipal Court Public Defender and for all other purposes.

WHEREAS, the City of Atlanta currently leases office space for the Office of the Public Defender at the Grant Building located at 44 Broad Street, N.E.

WHEREAS, Municipal Court Public Defender desires to exercise its option to renew this lease; and

WHEREAS, the Bureau of General Services recommends and the Bureau of Purchasing and Real Estate approves of the lease renewal.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and is hereby authorized to enter into an appropriate lease renewal agreement with Trinity Properties/Grant Ltd., L.P. Landlord for lease of 12,194 square feet of office space with certain tenant improvements in the Grant Building located at 44 Broad Street, N.E., for use as the offices of the Municipal Court Public Defender.

Be it further resolved that the term of said lease agreement shall be for one (1) year to commence on January 1, 2001 and to end on December 31, 2001, with the City's option of renewing the lease for five (5) additional terms of one (1) year.

Be it further resolved that the City shall have a first right of refusal of the contiguous offices on the Ninth Floor for potential expansion by the Municipal Court Public Defender's office, at the current rent per square foot.

Be it further resolved that Public Defender's Office Lease is hereby modified and amended to provide that commencing on January 1, 2001, the Annual Base Rent, payable under the lease for the premises shall be One Hundred Ninety-Four Thousand Four Hundred Ninety Four and 30/100 Dollars (\$194,494.30) payable in equal monthly installments of Sixteen Thousand Two Hundred Seven and in 85/100 Dollars (\$16,207.85). Said rental payments shall be charged to and paid from fund center and account number 1A01 725001 S13001.

Be it further resolved that the Landlord shall provide a discount for the Fourth year's rental in the following manner. If Tenant shall pay the entire year rental in advance at the time the Lease is signed or not later than January 1, 2001, the Landlord shall discount that rental from \$15.99/RSF to \$15.19/ RSF for an annual rental of \$184,769.59, discounted from \$194,494.30. In the event Tenant shall prepay the entire rental no later than March 1, 2002, the Landlord shall discount the annual rental rate to \$15.75/RSF for an annual rent of \$189,630.58. In any event, the rental rate on which the escalation for 2003 is based shall be \$15.95/RSF.

Be it further resolved that the Municipal Court Public Defenders lease is hereby modified and amended to provide that commencing January 1, 2002, it will take an "as is" condition, additional space (storage space) consisting of 552 usable square feet in the Grant Building known as Room #26.

Be it further resolved that the Municipal Court Public Defender's lease is hereby modified and amended to provide that commencing on January 1, 2002, the rental rate for the storage space shall be \$201.43 per month or \$2,416.86 per annum (4.63 X 552 usable square feet/RSF equals \$2,416.86. Such rental shall be payable in advance. If the full years rental is paid by December 31, 2001, it shall be \$2,296.02, if paid after December 31, 2000 but before March 1, 2001, it shall be \$2,356.44.

Be it further resolved that the rental for the original premises, expansion premises, expansions premises and storage area shall be \$187,065.61 if paid before January 1, 2001 and \$191,987.06 if paid before March 1, 2001, otherwise it shall revert to the regular rental schedule of \$196,911.60.

Be it further resolved that if, in the opinion of the Chief Financial Officer, it is in the best interests of the City to pay the prepay annual rent for the original premises, expansions premises and storage area for the 2002 term, before January 1, 2002 at the discounted rate offered by the Trinity Properties/Grant Ltd., L.P. Landlord, of \$15.19 per square foot per year, in an amount not to exceed \$184,769.59 per year, said rent shall be charged to and paid from fund center and account number 1A01 725001 S13001.

Alternately, be it further resolved that if, in the opinion of the Chief Financial Officer, it is in the best interests of the City to prepay the annual rent for the original premises, expansion premises and storage area for the 2002 term on March 1, 2002, at the discounted rate offered by the Trinity Properties/Grant Ltd., L.P., Landlord, of \$15.75/RSF per square foot per year, in an amount not to exceed \$189,630.58 per year, said rental shall be charged to and paid from fund center and account number 1A01 725001 S13001.

Be it further resolved that the City Attorney be and is hereby directed to prepare an appropriate agreement for execution by the Mayor or his designee, to be approved as to form by the City Attorney.

Be it further resolved that the City of Atlanta shall incur no liability until such contract has been executed by the Mayor or his designee and delivered to the contracting party.

Be it further resolved that all Resolutions in conflict herewith are hereby rescinded.

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon, Mayor's Office
(For review & distribution to Executive Management)

Commissioner Signature _____	Director Signature <u>[Signature]</u> (11/18)
From: Originating Dept.: <u>Municipal Court</u> <u>Public Defender</u>	Contact (Name) <u>Vanessa Hickey-Gales</u>
Committee of Purview: <u>Finance/Executive</u>	Committee Deadline _____
Committee Meeting Date: <u>11/14 & 28/01</u>	City Council Meeting Date <u>11/19 & 12/3/01</u>

CAPTION:

A resolution authorizing the Mayor to execute a second renewal and amendment to the lease agreement with Trinity Properties/Grant Ltd., L.P., Landlord for the lease of office space in the Grant Building at 44 Broad Street for the office of the Municipal Court Public Defender and for other purposes.

BACKGROUND/PURPOSE/DISCUSSION:

Legislation for renewal of lease agreement with Trinity Properties/Grant Ltd., L.P. Annual Base rent if paid after March 1, 2002 is \$194,494.30. If rent is paid by January 1, 2002 rent will be \$184,769.59 for a savings of \$9724.71. If rent is paid after January and no later than March 1, 2002 rent will be \$189,630.58 for a savings of \$4,863.72.

FINANCIAL IMPACT (if any):

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OTHER DEPARTMENT(S) IMPRACTED: _____

COORDINATED REVIEW WITH: _____

Mayor's Staff Only

Received by Mayor's Office:	Reviewed:	Submitted to Council:
<u>11/02/01</u> <u>[Signature]</u>	<u>[Signature]</u>	<u>1</u>
(date)	(initials) (date)	

Action by Committee: ☐ Approved ☐ Adversed ☐ Held ☐ Amended ☐ Substitute ☐ Referred ☐ Other